



AF/1631  
Docket No. 01997.007000  
Date: July 25, 2002

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: KENNETH JACOBS, ET AL.

Application No.: 09/306,111

For: SECRETED PROTEINS AND POLYNUCLEOTIDES ENCODING THEM

Filed: May 6, 1999

Group Art Unit: 1631

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated February 26, 2002 of the Primary Examiner finally rejecting claims 1-5, 8 and 14-19.

The item(s) checked below are appropriate.

1. ☒ A Petition for a two month extension of time to respond to the final rejection is requested and the \$400.00 extension fee under 37 C.F.R. §1.17 is being filed concurrently herewith.
2. ☐ A Petition for an additional \_\_\_\_ month extension of time to take further action, together with the \$\_\_\_\_ extension fee under 37 C.F.R. §1.17, was filed on \_\_\_\_.
3. ☒ Fee \$320.00  
☐ Fee \$160.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)  
☒ Enclosed

#21  
Plg 2/16/02  
\$151.02  
RECEIVED

JUL 31 2002

TECH CENTER 1600/2900

07/29/2002 AMND04F1 00000116 09306111  
01 FC:119  
02 FC:116  
320.00 DP  
400.00 DP

☐ Not required (fee paid in prior appeal)

☐ Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5. ☒ Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants  
Lawrence S. Perry  
Registration No. 31,865

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200